

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

SCOTT CRAWFORD, AN INDIVIDUAL

PLAINTIFF

VS.

CIVIL ACTION NO. 3:17CV118TSL-RHW

HINDS COUNTY BOARD OF SUPERVISORS

DEFENDANT

ORDER

This cause is before the court on the motion of defendant Hinds County Board of Supervisors for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure. Also before the court are Crawford's motions for partial summary judgment and to amend his complaint pursuant to Rule 15 of the Federal Rules of Civil Procedure. The court, having considered the parties' memoranda and submissions, finds and concludes as follows.

First, the court finds that while the Hinds County Board of Supervisors is not a proper defendant, plaintiff, in the interest of justice, should be allowed to amend his complaint to name Hinds County as a defendant instead. The court also finds that plaintiff's motion for partial summary judgment should be granted as plaintiff has adequately demonstrated the following: (1) that he has the requisite Article III standing necessary to prosecute the claims set out in his complaint; (2) that he is a qualified individual with a disability under the ADA and the Rehabilitation Act; and (3) that defendant is in violation of the program access requirements of 28 C.F.R. § 35.150, though the extent of its

violation(s) will be determined at trial. Lastly, the court finds that defendant has not demonstrated that summary judgment is warranted.

Based on the foregoing, it is ordered that defendant's motion for summary judgment is denied; plaintiff's motion for partial summary judgment is granted; and plaintiff's motion to amend is granted.

SO ORDERED this 26th day of November, 2018.

/s/ Tom S. Lee
UNITED STATES DISTRICT JUDGE